

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

THOMAS PURCELL,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 3:23-311
)	Judge Nora Barry Fischer
THE PENNSYLVANIA BOARD OF)	Magistrate Judge Keith Pesto
PAROLE, et al.,)	
)	
Respondents.)	
)	

MEMORANDUM ORDER

AND NOW, this 17th day of January, 2025, upon consideration of the Report and Recommendation filed by United States Magistrate Judge Keith A. Pesto on January 10, 2024, (Docket No. 6), recommending that the § 2254 habeas petition filed by Petitioner Thomas Purcell against the Pennsylvania Board of Parole, et al., wherein he challenges the denial of parole and seeks release from state custody to parole, be denied, without a certificate of appealability, Petitioner's objections which were timely filed within 14 days as directed by the Magistrate Judge, (Docket No. 8), and upon independent review of the record and de novo consideration of the Magistrate Judge's Report and Recommendation of January 10, 2024, (Docket No. 6), which is ADOPTED as the opinion of this Court,

IT IS HEREBY ORDERED that Petitioner's Objections (Docket No. 8) are OVERRULED as he has failed to present sufficient facts to demonstrate an entitlement to the relief he requests, i.e., release on parole and it further appearing to the Court that Petitioner was to be reviewed again for parole in or after December 2024, (*see* Docket No. 4 at 3);

IT IS FURTHER ORDERED that the Petition (Docket No. 4) is DENIED;

IT IS FURTHER ORDERED that no certificate of appealability shall issue as Petitioner has not made a substantial showing of a denial of a Constitutional right and jurists of reason would not debate the disposition herein; and,

FINALLY, IT IS ORDERED that the Clerk of Court shall mark this case CLOSED.

s/Nora Barry Fischer

Nora Barry Fischer

Senior U.S. District Judge

cc/ecf: Magistrate Judge Keith A. Pesto

cc: THOMAS PURCELL
QG6792
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